

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALI AHMAD BAREKZAI,

Defendant.

Case No. 2:09-CR-0004-KJD-PAL

**ORDER**

Presently before the Court is Defendant's Motion for Permission to Travel (#36). The Court has twice previously denied (#27/35) Defendant's requests to travel to Pakistan. Defendant suggests that his new travel plan containing more specific information, his ties to the community, and his history of complying with the conditions of supervision should be significant factors in allowing him to travel.

As noted in the Court's prior order (#35), Defendant may have a history of abiding by the terms of his current terms of supervised release, but after Defendant's conviction in Case No. 2:07-cr-0055-RCJ-GWF, he was notified that the Office of Immigration Litigation had initiated a civil proceeding against him in order to strip him of his fraudulently obtained United States citizenship. Defendant was offered the chance to travel internationally on the condition that he relinquish his U.S. citizenship. Instead, Defendant illegally applied for a new passport falsely asserting that his had been

1 stolen, rather than disclosing that it had been surrendered to the custody of the court. Little incentive  
2 remains for Defendant to return to this country to finish his remaining sentence and contest the  
3 immigration proceedings, when his failure to return would present an almost larger obstacle to the  
4 denaturalization process. Given Defendant's current conviction stems from his dishonesty and  
5 willingness to violate the law for his own ends, his current compliance does not outweigh the gravity  
6 of his past actions.

7 Furthermore, Defendant's ties to the community are minimal given that his wife lives in  
8 Pakistan. The weak ties to the community and specific travel plans do not alter the Court's  
9 determination that Defendant poses a flight risk. Furthermore, the Court relies on the reasoning  
10 provided in its prior orders.

11 Accordingly, IT IS HEREBY ORDERED that Defendant's Motion for Permission to Travel  
12 (#36) is **DENIED**.

13 DATED this 22<sup>nd</sup> day of December 2010.  
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17 Kent J. Dawson  
18 United States District Judge  
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